

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6717

BILL NUMBER: SB 377

NOTE PREPARED: Dec 29, 2011

BILL AMENDED:

SUBJECT: Sawed-off Shotguns.

FIRST AUTHOR: Sen. Waterman

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill permits a person allowed to manufacture, sell, or possess a sawed-off shotgun under federal law to manufacture, sell, or possess a sawed-off shotgun in Indiana.

Effective Date: July 1, 2012.

Explanation of State Expenditures: *Summary:* The bill's provisions could lead to fewer Class D felony arrests, trials, and subsequent convictions.

A Class D felony is punishable by a prison term ranging from six months to three years or reduction to Class A misdemeanor depending upon mitigating and aggravating circumstances. Assuming offenders can be housed in existing facilities with no additional staff, the marginal cost for medical care, food, and clothing is approximately \$3,318 annually, or \$9.09 daily, per prisoner. However, any reduced expenditures are likely to be small. The average length of stay in Department of Correction (DOC) facilities for all Class D felony offenders is approximately ten months.

Background Information: During FY 2010, there were three persons committed to a DOC facility for a violation of Indiana's dealing in a sawed-off shotgun law (one as the primary offense). It is unknown if any of the incarcerated individuals possessed a federal firearms license for the sawed-off shotgun.

The U.S. Bureau of Alcohol, Tobacco, and Firearms reports that there were 700,001 shotguns manufactured for domestic purchase and use during 2010. Between January 1, 2010, and December 31, 2010, there were 708 shotguns recovered in Indiana using an ATF firearms trace by a law enforcement agency. It is unknown,

how many of these shotguns were sawed off.

Explanation of State Revenues: If fewer court cases occur and fewer fines are collected, revenue to both the Common School Fund (from criminal fines) and the state General Fund (from court fees) would decrease. The maximum fine for a Class D felony is \$10,000. However, any reduction in revenues would likely be small.

Explanation of Local Expenditures: If fewer defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may decrease. However, any reduction in expenditures would likely be small.

Explanation of Local Revenues: If fewer court actions occur and guilty verdicts are entered, local governments would receive less revenue from court fees. However, the reduced amounts would likely be small.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Department of Correction FY 2010 commitments data; U.S. Bureau of Alcohol, Tobacco, and Firearms.

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